

ABSTRACT

[illegible]

G.O.Rt.No. 630

Dated:02-09-2008

1) From the Director of Adult Education, AP, Hyderabad, Lr.Rc. No. 3168/A1 / DAE/2007, dt.25-06-2007 & 31-07-08.

X-X-X

In pursuance of the sanction accorded by the Government under sub-clause (i) of clause (b) of sub-rule(2) of Rule 9 of the Andhra Pradesh Revised Pension Rules, 1980 for instituting departmental proceedings against Smt.O.Nirmala, Retired Deputy Director of Adult Education, Visakhapatnam District vide G.O.2nd read above, it is proposed to hold an enquiry against the said Smt.O.Nirmala in accordance with the procedure laid down in Rule 20 of the A.P.C.S.(CCA) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge(Annexure-I). A statement of the imputations of misconduct or misbehaviour in support of each article of charge is enclosed(Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charge are proposed to be sustained are also enclosed(Annexure-III and IV).

3. Smt.O.Nirmala, Retired Deputy Director of Adult Education, Visakhapatnam District is directed to submit within 10 days of the receipt of this memorandum, a written statement of his defence and also to state whether she desires to be heard in person.

4. She is informed that an inquiry will be held only in respect of those articles of charges are not admitted. He should, therefore specifically admit or deny each article of charge.

5. Smt.O.Nirmala, is further informed that if he does not submit her written statement of defence on or before the date specified in para 3 above, or does not appear in person before the inquiring authority or otherwise fails or refuses to comply with the provisions of Rule 20 of the A.P.C.S.(CCA) Rules, 1991 or the orders /directions issued in pursuance of the said rules, the inquiring authority may hold the inquiry against him *exparte*.

6. The receipt of this G.O. may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

C.B.S.VENKATA RAMANA

PRINCIPAL SECRETARY TO GOVT.(RVM)(i/c)

To

Smt.O.Nirmala, Retired Deputy Director of Adult Education, Visakhapatnam District
through the Director of Adult Education, AP, Hyderabad.

The Director, Adult Education, AP, Hyderabad.

//Forwarded::By order//

Section Officer

ANNEXURE-I

Statement of articles of charges framed against Smt.O.Nirmala, Retired Deputy Director of Adult Education, Visakhapatnam District.

Article-I:

That the said Smt.O.Nirmala Retired Deputy Director of Adult Education, while functioning as Deputy Director of Adult Education, Visakhapatnam district has committed the following grave financial irregularities during her tenure as Deputy Director of Adult Education/Secretary, ZSS, Visakhapatnam from 20-10-2003 to 24-01-2006.

- i) Purchase of Books worth of Rs.27.69 lakh without approval of the District Collector & Chairman of ZSS, Visakhapatnam.
- ii) Irregular payment of cost of Cycles worth Rs.1,56,750/-.
- iii) Purchase of Maps and Charts & Pictures worth of Rs.3,64,560/- without approval of the District Collector & Chairman of ZSS, Visakhapatnam.
- iv) Sports items etc., worth Rs.16,99,540/- were excess purchased against budget provision of Rs.27.45 lakhs:
- v) Purchase of Teaching & Learning material for Akshara Bharathi Programme – Payment of Rs.22,37,768/- made to the firms without approval of District Collector.
- vi) Irregular operation of funds of ZSS, Visakhapatnam without obtaining the approval of District Collector & Chairman of ZSS, Visakhapatnam.

Article-II

That the said Smt.O.Nirmala, Retired Deputy Director of Adult Education, while functioning as Deputy Director of Adult Education, Visakhapatnam district has committed the following major irregularities during her tenure as Deputy Director of Adult Education/Secretary, ZSS, Visakhapatnam from 25-01-2006 to 12-03-2007.

- i) Excess expenditure under administration to a tune of Rs.2,39,726/- incurred under Akshara Bharati Phase-II.
- ii) Non deduction of Income Tax on Rs.6,31,470/- from the firms for the purchase made in Akshara Bharati Phase-II programme:
- iii) Non adjustment of training cost of Rs.3,79,605/-:
- iv) (a) Non-Audit of Akshara Bharati Accounts.
(b) Rs.2,96,423/- Excess expenditure under administrative cost – AB phase II.
- v) Excess expenditure on purchase of various material under replacement head as against the budget provision of Rs.22,54,500/-. Hence, there is an expenditure of Rs.54,12,995/- which is highly irregular.
- vi) Incurring expenditure on hiring of car without following the ceiling limit prescribed i.e., Rs.14,000/- PM which is highly irregular.

C.B.S.VENKATA RAMANA
PRINCIPAL SECRETARY TO GOVT.(RVM)(i/c)

SECTION OFFICER

ANNEXURE-II

Statement of imputations of misconduct or misbehaviour in support of the articles of charge framed against Smt.O.Nirmala, Retired Deputy Director of Adult Education, Visakhapatnam District.

Article – I:

Though the District Collector & Chairman, ZSS was competent authority to sign the Cheques, the Deputy Director of Adult Education herself signed the Cheques. She misused her official capacity and signed the Cheques without the knowledge of the District Collector which is a grave irregularity.

The Orders of the District Collector and Chairman, Zilla Saksharatha Samithi, Visakhapatnam were not obtained for making payment of Rs.27,69,373-75/- (Rs.18,13,131.75 + Rs..9,56,242.00).

As per Income Tax rules, IT @ 2.2% needs to be recovered from the months payable to parties over and above Rs.20,000/- but no IT was recovered.

Payment was made for the Cycles which were purchased from M/s.New Uma Maheswara Cycle Agencies, S.Kota to the tune of Rs.1,56,750/- without approval of the District Collector and Chairman, ZSS, Visakhapatnam. As per Income Tax Rules, IT @ 2.2% needs to be recovered from the months payable to parties over and above Rs.20,000/- but no IT was recovered.

The Deputy Director of Adult Education, Visakhapatnam purchased Maps, Charts and Pictures without approval of the District Collector & Chairman, ZSS, Visakhapatnam. Payments were also made without the knowledge of the District Collector who is the Chairman of ZSS.

The Deputy Director of Adult Education misused her official capacity by issuing orders in the name of the District Collector and Chairman, ZSS and signing the Cheques without competency is highly irregular.

Moreover, the amount related to purchase of Maps and Charts was supposed to be released to CE Committees as per the guidelines communicated to all the Districts, but the entire amount was spent by centralized purchases by the Deputy Director of Adult Education herself which is a grave financial irregularity.

The Deputy Director Adult Education, Visakhapatnam purchased TVs (14" colour). Tape Recorders, Kanjeeras, Bhajan Talam, Tennicoit Rings, Roll up black boards, Volley balls, skipping ropes, Carom Boards, L.T.P.Boards, Volley ball nets and ring nets @ 651 each for Rs.44,44,540/- by floating tenders. In fact as per the guidelines of the Director of Adult Education, the amount should have been released to CE Committees. Purchasing material at District level is highly irregular. The amount was spent without the approval of the District Collector and Chairman, ZSS, Visakhapatnam. The payments were also made without the knowledge of the District Collector and Chairman, ZSS.

The Deputy Director of Adult Education, Visakhapatnam incurred an excess expenditure of Rs.16,99,540/- as against the budget provision of Rs.27.45 lakhs.

The IT @ 2.2% not recovered from the firms concerned as per I.T.Rules.

The payments were made by the Deputy Director of Adult Education, Visakhapatnam without approval of the District Collector and Chairman, ZSS, Visakhapatnam. NO approval was obtained for incurring the expenditure and at the time of payment of amount to the firms also.

I.T. @ 2.2% was not recovered from the parties concerned.

The Deputy Director of Adult Education/Secretary, ZSS is operating the funds of ZSS, Visakhapatnam. All the cheques are being signed by the Deputy Director of

Adult Education herself irrespective of the amounts. It is further observed that approval of the District Collector/Chairman, ZSS is not being obtained for making payments/incurred expenditure.

Article-II:

The Zilla Saksharatha Samithi, Visakhapatnam was permitted to implement II Phase Akshara Bharathi Programme to make 39,060 non-literates as literate. The ZSS, Visakhapatnam implemented the programme and the following expenditure was incurred.

S. No	Name of the item	Provision Rs.	Expenditure Rs.	Excess Expenditure Rs.
1.	Teaching and Learning material.	7,81,000.00	6,84,550.00	(-)96,450.00
2.	Training.	3,90,600.00	3,79,600.00	(-)11,000.00
3.	Monitoring & Administration	1,95,300.00	4,35,026.00	(+)2,39,726.00
	Total	13,67,400.00	14,99,182.00	

- The excess amount was incurred from the unspent balance of I st Phase Akshara Bharathi Programme.

As seen from the above, the Zilla Saksharatha Samithi, Visakhapatnam has incurred an amount of Rs.2,39,726/- in excess to the provision under administration.

The Zilla Saksharatha Samithi, Visakhapatnam has purchased all the teaching learning material of II Phase Akshara Bharathi Programme from the A.P.H.D.C.(Lepakshi). Further the printing of evaluation papers from M/s.Balaji Offset Press, Visakhapatnam and paid Rs.6,31,470/-. As per the financial rules, the income tax @ 2.2% has to be recovered from the agencies on the payments made more than Rs.20000/-.

The Zilla Saksharatha Samithi, Visakhapatnam has conducted training programmes to 42 Master Trainers and 1316 Volunteers @ 3 days for MTs and 7 days for Volunteers at the Cluster Level (for three mandals). An amount of Rs.3,79,605/- was incurred under trainings. As seen from the records, it is observed that the Deputy Director of Adult Education has not obtained the approval of the District Collector and Chairman, ZSS, Visakhapatnam before paying the advances. The amount given to the MLOs was taken as expenditure. After receipt of the expenditure, certain amounts were received as unspent balances which were taken as receipts. It is not correct procedure. The Zilla Saksharatha Samithi, Visakhapatnam has to give advances clearly indicating the details of expenditure to be incurred by the MLOs and after conclusion of training programmes, the MLOs have to submit the vouchers and acknowledgements and should see that their advances are settled. The Deputy Director of Adult Education has to arrange to adjust the advances duly getting the approval of the District Collector.

The accounts of II phase of Akshara Bharathi Programme is to yet to be audited by the Chartered Accountant (as on March, 2007).

An excess amount of Rs.2,96,423/- has been incurred under Administrative cost i.e., payment of wages, vehicle rents, oil charges etc.

She has ignored the aspect of spending departmental funds on priority basis and incurred expenditure under Administrative cost resulting an excess expenditure of Rs.2,96,423/- which is highly irregular on the part of Deputy Director Adult Education, Visakhapatnam.

The Government of India sanctioned II year grant of Rs.1,96,84,500/- vide Lr.NO.F.10-11/2003, dt.09-11-2005 and released Rs.72,95,832/- after adjusting the unspent balance of Rs.1,23,88,668/- as on 31-03-2005. After verifying the item-wise expenditure, it was observed that the Deputy Director of Adult Education, Visakhapatnam process the files for incurring excess expenditure of Rs.54,12,995/- without observing the budget provision.

Further the above expenditure was incurred without approval of the District Collector and Chairman, ZSS and majority of the provision was utilized for purchase of books.

It was also observed that the I.T.@ 2.2% was also not recovered from the agencies.

No assessment was made before purchase for the items from the 'replacement head'.

As per the instructions of Government Cir.Memo No. 306921/ 1116/ A2/ W&M/2002, dt.22-04-2003, the hire charges including Petrol, Driver Batta and Maintenance charges with a coverage of 2,500 KMs fixed as Rs.14,000/- per month in Hyderabad, Visakhapatnam, Rangareddy district. In Visakhapatnam, the Deputy Director of Adult Education, Visakhapatnam has hired the vehicle @ Rs.9,500/- per month and the actual oil charges are being paid. During the inspection period, the following expenditure was incurred.

Month	Rent paid in Rs.	Oil Charges in Rs.	Total paid in Rs.
Feb, 2006	9500	5000	14500
Mar, 2006	9500	4500	14500
Apr, 2006	9500	10000	19500
May, 2006	9500	5000	14500
June, 2006	9500	10000	19500
July, 2006	9500	5000	14500
Aug, 2006	9500	5000	14500
Sept, 2006	9500	10000	19500
Oct, 2006	9500	5000	14500
Nov, 2006	9500	10000	19500
Dec, 2006	9500	5000	14500
Jan, 2007	9500	5000	14500
Feb, 2007	14000	---	14000

As per the G.O.Ms.No.5, dt.04-01-1994 of Finance and Planning (FW W&M-1) Department, the officer using the hired vehicle shall maintain a register indicating the vehicle No., No.of Kilometers runs, No.of days the vehicle used and amount to be paid and the name of the firm or company which has supplied the vehicle. Further an agreement should be entered with the supplying company or firm with all terms and conditions.

But the Deputy Director of Adult Education/Secretary, ZSS, Visakhapatnam has not followed the above instructions of the Government and paid Rs.14,000/- as rent from Feb, 2007 without entering into an agreement. Thus she has failed to follow the guidelines of the Government in hiring of car.

C.B.S.VENKATA RAMANA
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SECTION OFFICER

ANNEXURE-III

List of documents by which the articles of charge framed against Smt.O.Nirmala, Retd.Deputy Director of Adult Education, Visakhapatnam District are proposed to be sustained.

1. Inspection report of O/o. Deputy Director of Adult Education/ZSS, Visakhapatnam District for the year 2005-2006 conducted in the month of January, 2006 covering the period from 21-10-2003 to 24-01-2006.
2. Inspection report of O/o.Deputy Director of Adult Education/ZSS, Visakhapatnam district for the year 2006-07 covering the period from 24-01-2006 to 12-03-2007 conducted in the month of March, 2007.

ANNEXURE-IV

List of witnesses by whom the articles of charge framed against Smt.O.Nirmala, Retd., Deputy Director of Adult Education, Visakhapatnam District.

1. Director of Adult Education, AP, Hyderabad.

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